

Moved by McGeeSeconded by CorderIN THE SENATE
SENATE AMENDMENT TO H.B. NO. 96

AMENDMENT TO THE BILL

On page 2 of the printed bill, following line 7, insert:
"SECTION 2. That Section 49-202, Idaho Code, be, and the same is hereby amended to read as follows:

49-202. DUTIES OF DEPARTMENT. (1) All registration and driver's license records in the office of the department shall be public records and open to inspection by the public during normal business hours, except for those records declared by law to be for the confidential use of the department, or those records containing personal information subject to restrictions or conditions regarding disclosure. If the department has contracted for a service to be provided by another entity, an additional fee shall be charged by that contractor whether the service is rendered during normal business hours, other than normal business hours or on weekends.

(2) In addition to other fees required by law to be collected by the department, the department shall collect the following:

- | | |
|---|----------------------|
| (a) For certifying a copy of any record pertaining to any vehicle license, any certificate of title, or any driver's license | \$814.00 |
| (b) For issuing every Idaho certificate of title | \$814.00 |
| (c) For furnishing a duplicate copy of any Idaho certificate of title | \$814.00 |
| (d) For issuance or transfer of every certificate of title on a new or used vehicle or other titled vehicle in an expedited manner (rush titles), in addition to any other fee required by this section | \$1526.00 |
| (e) For recording a transitional ownership document, in addition to any other fee required by this section | \$1526.00 |
| (f) For furnishing a replacement of any receipt of registration | \$35.00 |
| (g) For furnishing copies of registration or ownership of motor vehicles or driver's license records, per vehicle registration, accident report records, title or per driver's license record | \$47.00 |
| Additional contractor fee, not to exceed | \$4.00 |
| (h) For services in searching files of vehicle or other registrations, vehicle titles, or driver's licenses per hour | \$1018.00 |
| (i) Placing "stop" cards in vehicle registration or title files, each | \$1221.00 |
| (j) For issuance of an assigned or replacement vehicle identification number (VIN) | \$1018.00 |
| (k) For a vehicle identification number (VIN) inspection whether conducted by a city or county peace officer or any other peace officer or designated agent of the state of Idaho, per inspection | \$35.00 |
| (l) For all replacement registration stickers, each | \$12.00 |

(m) For issuing letters of temporary vehicle clearance to Idaho-based motor carriers	\$10 18.00
(n) For all sample license plates, each	\$12 21.00
(o) For filing release of liability statements	\$2.00 3.50
(p) For safety and insurance programs for each vehicle operated by a motor carrier	\$2.00 3.50

A lesser amount may be set by rule of the board.

(3) The fees required in this section shall not apply when the service is furnished to any federal, state, county or city peace officer when such service is required in the performance of their duties as peace officers.

(4) The department may enter into agreements with private companies or public entities to provide the services for which a fee is collected in subsection (2)(g) of this section. Such private contractor shall collect the fee prescribed and remit the fee to the department. The contractor shall also collect and retain the additional fee charged for his services.

(5) (a) The department shall pay three dollars (\$3.00) of the fee collected by a county assessor or other agent of the department as provided in subsection (2)(a) through (f) of this section, and four dollars (\$4.00) as provided in subsection (2)(g) of this section, to the county assessor or sheriff of the county or agent collecting such fee, which shall be deposited with the county treasurer and credited to the county current expense fund. The remainder of the fees collected as provided in that subsection shall be paid by the department to the state treasurer and placed in the state highway ~~fund~~ account.

(b) The fee collected under subsection (2)(k) of this section for a VIN inspection shall be placed in the city general fund if conducted by a city peace officer, in the county current expense fund if conducted by a county peace officer, shall be retained by the special agent authorized to perform the inspection, or paid to the state treasurer and placed to the credit of the Idaho state police if conducted by the Idaho state police or in the state highway ~~fund~~ account if conducted by the department.

(c) The fee collected under subsection (2)(o) of this section for filing release of liability statements shall be retained by the county assessor of the county collecting such fee, and shall be deposited with the county treasurer and credited to the county current expense fund.

(d) The fee in subsection (2)(m) of this section shall not apply when the Idaho-based motor carrier or its representative obtains and prints the document using internet access.

(e) The fee collected under subsection (2)(p) of this section for motor carriers shall be paid by the department to the state treasurer and placed in the state highway ~~fund~~ account. The director and the director of the Idaho state police shall jointly determine the amount to be transferred from the state highway ~~fund~~ account to the law enforcement fund for motor carrier safety programs conducted by the Idaho state police pursuant to the provisions of section 67-2901A, Idaho Code.

(6) The department as often as practicable may provide to law enforcement agencies the record of suspensions and revocations of driver licenses via the Idaho law enforcement telecommunications system (ILETS).

(7) The department shall provide the forms prescribed in chapter 5 of this title, shall receive and file in its office in Ada county, all instruments required in chapter 5 of this title to be filed with the department, shall prescribe a uniform method of numbering certificates of title,

1 and shall maintain in the department indices for such certificates of title. All indices shall be
2 by motor or identification number and alphabetical by name of the owner.

3 (8) The department shall file each registration received under a distinctive registration
4 number assigned to the vehicle and to the owner thereof.

5 (9) The department shall not renew a driver's license or identification card when fees
6 required by law have not been paid or where fees for past periods are due, owing and unpaid
7 including insufficient fund checks, until those fees have been paid.

8 (10) The department shall not grant the registration of a vehicle when:

9 (a) The applicant is not entitled to registration under the provisions of this title; or

10 (b) The applicant has neglected or refused to furnish the department with the information
11 required in the appropriate form or reasonable additional information required by the de-
12 partment; or

13 (c) The fees required by law have not been paid, or where fees for past registration
14 periods are due, owing and unpaid including insufficient fund checks.

15 (11) The department or its authorized agents have the authority to request any person to
16 submit to medical, vision, highway, or written examinations, to protect the safety of the public
17 upon the highways. The department or its authorized agents may exercise such authority based
18 upon evidence which may include, but is not limited to, observations made.

19 (12) The department shall revoke the registration of any vehicle:

20 (a) Which the department shall determine is unsafe or unfit to be operated or is not
21 equipped as required by law;

22 (b) Whenever the person to whom the registration card or registration plate has been
23 issued shall make or permit to be made any unlawful use of the same or permit their use
24 by a person not entitled thereto;

25 (c) For any violation of vehicle registration requirements by the owner or operator in the
26 current or past registration periods;

27 (d) Whenever a motor carrier requests revocation, or whenever an interstate carrier's
28 federal operating authority has been revoked;

29 (e) For failure of the owner or operator to file the reports required or nonpayment of
30 audit assessments or fees assessed against the owner by the department or the state tax
31 commission pursuant to audit under the provisions of section 49-439, Idaho Code;

32 (f) Identified by any city or county administering a program established by ordinance for
33 the inspection and readjustment of motor vehicles (which program is part of an approved
34 state implementation plan adopted by both the state and federal governments under 42
35 U.S.C. section 7410) as having failed to comply with an ordinance requiring motor vehi-
36 cle emission inspection and readjustment; provided that no vehicle shall be identified to
37 the department under this subsection (f) unless:

38 (i) The city or county certifies to the department that the owner of the motor
39 vehicle has been given notice and had the opportunity for a hearing concerning
40 compliance with the ordinance and has exhausted all remedies and appeals from
41 any determination made at such hearing; and

42 (ii) The city or county reimburses the department for all direct costs associated
43 with the registration revocation procedure.

44 (13) The department shall not reregister or permit a vehicle to operate on a special trip
45 permit until all fees, penalties and interest have been paid.

1 (14) The department shall institute educational programs, demonstrations, exhibits and
2 displays.

3 (15) The department shall cancel a driver's license or identification card when fees re-
4 quired by law have not been paid or where fees are due, owing and unpaid including insuffi-
5 cient fund checks, until those fees have been paid.

6 (16) The department shall examine persons and vehicles by written, oral, vision and skills
7 tests without compulsion except as provided by law.

8 (17) The department shall employ expert and special help as needed in the department.

9 (18) The department shall compile accident statistics and disseminate information relating
10 to those statistics.

11 (19) The department shall cooperate with the United States in the elimination of road
12 hazards, whether of a physical, visual or mental character.

13 (20) The department shall place and maintain traffic-control devices, conforming to the
14 board's manual and specifications, upon all state highways as it shall deem necessary to in-
15 dicate and to carry out the provisions of this title or to regulate, warn, or guide traffic. No
16 local authority shall place or maintain any traffic-control device upon any highway under the
17 jurisdiction of the department except by the latter's permission, except where the duly elected
18 officials of an incorporated city have established speed limits lower than those set by the de-
19 partment on the portion of state highways, excluding controlled-access and interstate highways,
20 that pass through residential, urban or business districts within the jurisdiction of the incorpo-
21 rated city. The placement and maintenance of such a traffic-control device by a local authority
22 shall be made according to the board's manual and specifications for a uniform system of traf-
23 fic-control devices.

24 (21) The department may conduct an investigation of any bridge or other elevated struc-
25 ture constituting a part of a highway, and, if it shall find that the structure cannot with safety to
26 itself withstand vehicles traveling at a speed otherwise permissible under this title, shall deter-
27 mine and declare the maximum speed of vehicles which the structure can safely withstand, and
28 shall cause or permit suitable signs stating the maximum speed to be erected and maintained
29 before each end of the structure.

30 (22) Whenever the department shall determine on the basis of an engineering and traf-
31 fic investigation that slow speeds on any highway or part of a highway impede the normal
32 and reasonable movement of traffic, the department may determine and declare a minimum
33 speed limit below which no person shall drive a vehicle except when necessary for safe opera-
34 tion or in compliance with law, and that limit shall be effective when posted upon appropriate
35 fixed or variable signs, except in cases where the duly elected officials of an incorporated city
36 have established speed limits lower than those set by the department on portions of state high-
37 ways, excluding controlled-access and interstate highways, that pass through residential, urban
38 or business districts within the jurisdiction of the incorporated city.

39 (23) The department shall regulate or prohibit the use of any controlled-access highway
40 by any class or kind of traffic which is found to be incompatible with the normal and safe
41 movement of traffic.

42 (24) The department shall erect and maintain traffic-control devices on controlled-access
43 highways on which any prohibitions are applicable.

44 (25) Wherever a highway crosses one (1) or more railroads at grade, the department or lo-
45 cal authorities within their respective jurisdictions shall place and maintain stop signs, directing
46 vehicular traffic approaching the crossing to come to a full stop prior to entering the crossing at

all railroad crossings where electric or mechanical warning signals do not exist. Placement of these stop signs shall be mandatory except when in the determination of public highway agencies the existence of stop signs at a given crossing would constitute a greater hazard than their absence based on a recognized engineering study.

Nothing in this subsection shall be construed as granting immunity to any railroad company as to liability, if any, for an accident which might occur at a crossing where stop signs are erected and in place, but liability, if any, shall be determined as provided by law. Liability on the part of governmental authorities on account of absence of any stop sign at a crossing shall be determined as provided by law.

(26) The department and local authorities are authorized to determine those portions of any highway under their respective jurisdictions where overtaking and passing or driving on the left side of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of those zones and when signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey those directions.

(27) The department and local authorities in their respective jurisdictions may in their discretion issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of the movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this title or title 40, Idaho Code.

(28) The department and local highway authorities within their respective jurisdictions may place official traffic-control devices prohibiting, limiting or restricting the stopping, standing or parking of vehicles on any highway where such stopping, standing or parking is dangerous to those using the highway or where the stopping, standing or parking of vehicles unduly interferes with the free movement of traffic thereon.

(29) On any informational material printed after July 1, 1995, by or at the order of the department and distributed to counties, school districts or individuals for the purpose of assisting a person to successfully pass a driver's license test, the department shall include material about the state's open range law and responsibilities, liabilities and obligations of drivers driving in the open range.

SECTION 3. That Section 49-306, Idaho Code, be, and the same is hereby amended to read as follows:

49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT, OR RESTRICTED SCHOOL ATTENDANCE DRIVING PERMIT. (1) Every application for any instruction permit, restricted school attendance driving permit, or for a driver's license shall be made upon a form furnished by the department and shall be verified by the applicant before a person authorized to administer oaths. Officers and employees of the department and sheriffs and their deputies are authorized to administer the oaths without charge. Every application for a permit, extension or driver's license shall be accompanied by the following fee, none of which is refundable:

- | | |
|---|---------------------------------|
| (a) Class A, B, C (4-year) license with endorsements - age 21 years and older | \$28.50 <u>40.00</u> |
| (b) Class A, B, C (3-year) license with endorsements - age 18 to 21 years ... | \$20.50 <u>30.00</u> |
| (c) Class A, B, C (1-year) license with endorsements - age 20 years | \$12.25 <u>15.00</u> |

1	(d) Class D (3-year) license - under age 18 years	\$20.50 <u>25.00</u>
2	(e) Class D (3-year) license - age 18 to 21 years	\$20.50 <u>25.00</u>
3	(f) Class D (1-year) license - age 17 years or age 20 years	\$12.25 <u>15.00</u>
4	(g) Four-year Class D license - age 21 years and older	\$24.50 <u>30.00</u>
5	(h) Eight-year Class D license - age 21 to 63 years	\$45 <u>55.00</u>
6	(i) Class A, B, C instruction permit	\$19.50 <u>29.00</u>
7	(j) Class D instruction permit or supervised instruction permit	\$11.50 <u>15.00</u>
8	(k) Duplicate driver's license or permit issued under section 49-318, Idaho	
9	Code	\$11.50 <u>15.00</u>
10	(l) Driver's license extension issued under section 49-319, Idaho Code	\$ 6.50 <u>10.00</u>
11	(m) License classification change (upgrade)	\$15.50 <u>25.00</u>
12	(n) Endorsement addition	\$11.50 <u>15.00</u>
13	(o) Class A, B, C skills tests	not more than \$55.00 <u>70.00</u>
14	(p) Class D skills test	\$15.00 <u>24.00</u>
15	(q) Motorcycle endorsement skills test	\$ 5.00 <u>10.00</u>
16	(r) Knowledge test	\$ 3.00
17	(s) Seasonal driver's license	\$27.50 <u>39.00</u>
18	(t) One time motorcycle "M" endorsement	\$11.50 <u>15.00</u>
19	(u) Motorcycle endorsement instruction permit	\$11.50 <u>15.00</u>
20	(v) Restricted driving permit or restricted school attendance driving permit ..	\$35.00 <u>60.00</u>
21	(2) Every application shall state the true and full name, date of birth, sex, declaration	
22	of Idaho residency, Idaho residence address and mailing address, if different, of the applicant,	
23	height, weight, hair color, and eye color, and the applicant's social security number as verified	
24	by the social security administration.	
25	(a) The requirement that an applicant provide a social security number as verified by	
26	the social security administration shall apply only to applicants who have been assigned a	
27	social security number.	
28	(b) An applicant who has not been assigned a social security number shall:	
29	(i) Present written verification from the social security administration that the	
30	applicant has not been assigned a social security number; and	
31	(ii) Submit a birth certificate, passport or other documentary evidence issued by	
32	an entity other than a state or the United States; and	
33	(iii) Submit such proof as the department may require that the applicant is lawfully	
34	present in the United States.	
35	A driver's license or any instruction permit issued on and after January 1, 1993, shall not	
36	contain an applicant's social security number. Applications on file shall be exempt from	
37	disclosure except as provided in sections 49-202, 49-203, 49-203A and 49-204, Idaho	
38	Code.	
39	Every application for a class A, B or C license shall state where the applicant has	
40	been licensed for the preceding ten (10) years and all applications shall also state whether	
41	the applicant has previously been licensed as a driver, and if so, when and by what state	
42	or country, and whether a driver's license or privileges have ever been suspended, re-	
43	voked, denied, disqualified, canceled or whether an application has ever been refused, and	
44	if so, the date of and reason for the suspension, revocation, denial, disqualification, can-	
45	cancellation or refusal and the applicant's oath that all information is correct as signified by	
46	the applicant's signature.	

The applicant may be required to submit proof of identity acceptable to the examiner or the department and date of birth as set forth in a certified copy of his birth certificate when obtainable, or another document which provides satisfactory evidence of a person's date of birth acceptable to the examiner or the department.

(c) Individuals required to register in compliance with section 3 of the federal military selective service act, 50 U.S.C. App. 451 et seq., as amended, shall be provided an opportunity to fulfill such registration requirements in conjunction with an application for a driver's license or instruction permit. Any registration information so supplied shall be transmitted by the department to the selective service system.

(3) Whenever an application is received from a person previously licensed in another jurisdiction, the department shall request a copy of the driver's record from the other jurisdiction and shall contact the national driver register. When received, the driver's record from the previous jurisdiction shall become a part of the driver's record in this state with the same force and effect as though entered on the driver's record in this state in the original instance.

(4) Whenever the department receives a request for a driver's record from another licensing jurisdiction, the record shall be forwarded without charge.

(5) The department shall contact and notify the commercial driver license information system of the proposed application for a class A, B or C driver's license to ensure identification of the person and to obtain clearance to issue the license.

(6) When the fees required under this section are collected by a county officer, they shall be paid over to the county treasurer not less often than monthly, who shall immediately:

(a) Deposit an amount equal to five dollars (\$5.00) from each driver's license except an eight-year class D license, or any class D instruction permit application fees, application for a duplicate driver's license or permit, classification change, seasonal driver's license and additional endorsement, and ten dollars (\$10.00) from each eight-year class D driver's license, in the current expense fund; and

(b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle endorsement and motorcycle endorsement instruction permit fee in the current expense fund; and

(c) Deposit an amount equal to three dollars (\$3.00) from each fee for a knowledge test in the current expense fund; and

(d) Deposit an amount equal to ~~five~~ ten dollars (~~\$5~~10.00) from each fee for a motorcycle endorsement skills test in the current expense fund; provided however, if a contractor administers the skills test he shall be entitled to the ~~five~~ ten dollar (~~\$5~~10.00) fee; and

(e) Remit the remainder to the state treasurer; and

(f) Deposit ~~eleven~~ seventeen dollars and fifty cents (~~\$11~~17.50) from each fee for a class D skills test into the county current expense fund, unless the test is administered by a department-approved contractor, in which case the contractor shall be entitled to ~~eleven~~ seventeen dollars and fifty cents (~~\$11~~17.50) of each fee.

(7) When the fees required under this section are collected by a state officer or agency, they shall be paid over to the state treasurer.

(8) The state treasurer shall distribute the moneys received from fees imposed by the provisions of this section, whether collected by a county officer or by a state officer or agency as follows:

(a) Two dollars (\$2.00) of each fee for a four-year driver's license or seasonal driver's license, and four dollars (\$4.00) of each fee for an eight-year class D driver's license, and one dollar and fifty cents (\$1.50) of each fee charged for driver's licenses pursuant to

subsections (1)(b), (d) and (e) of this section, and fifty cents (50¢) of each fee charged for driver's licenses pursuant to subsections (1)(c) and (f) of this section, shall be deposited in the emergency medical services fund II created in section 56-1018A, Idaho Code, and four dollars (\$4.00) of each fee charged pursuant to subsections (1)(a), (g) and (s) of this section and eight dollars (\$8.00) of each fee charged pursuant to subsection (1)(h) of this section and three dollars (\$3.00) of each fee for driver's licenses pursuant to subsections (1)(b), (d) and (e) of this section, and one dollar (\$1.00) of each fee charged for driver's licenses pursuant to subsections (1)(c) and (f) of this section shall be deposited in the emergency medical services fund III created in section 56-1018B, Idaho Code; and

(b) ~~Sixteen~~ Twenty-eight dollars and ~~fifty cents~~ (\$16.5028.00) of each fee for a seasonal or class A, B or C driver's license, and ~~ten~~ nineteen dollars and ~~fifty cents~~ (\$10.0019.50) of each fee charged for a license pursuant to subsection (1)(b) of this section, and ~~five~~ dollars and forty one cents (\$5.41) eight dollars and sixteen cents (\$8.16) of each fee charged for a license pursuant to subsection (1)(c) of this section shall be deposited in the state highway ~~fund~~ fund account; and

(c) ~~Ten~~ Twenty dollars and ~~fifty cents~~ (\$10.5020.00) of each fee for a class A, B or C instruction permit or driver's license classification change shall be deposited in the state highway ~~fund~~ fund account; and

(d) Four dollars (\$4.00) of each fee for a class A, B or C instruction permit shall be deposited in the emergency medical services fund III created in section 56-1018B, Idaho Code; and

(e) ~~Six~~ Ten dollars and ~~fifty cents~~ (\$6.5010.00) of each fee for a duplicate seasonal or class A, B or C driver's license, class A, B or C driver's license extension, or additional endorsement shall be deposited in the state highway ~~fund~~ fund account; and

(f) ~~Four~~ Seven dollars and ~~fifty cents~~ (\$4.007.50) of each fee for a motorcycle endorsement and motorcycle endorsement instruction permit shall be deposited in the state highway ~~fund~~ fund account; and

(g) Five dollars and thirty cents (\$5.30) of each fee for a four-year class D driver's license, and ten dollars and sixty cents (\$10.60) of each fee for an eight-year class D driver's license, and four dollars (\$4.00) of each fee charged for a license pursuant to subsections (1)(d) and (e) of this section, and one dollar and thirty-three cents (\$1.33) of each fee charged for a license pursuant to subsection (1)(f) of this section shall be deposited in the driver training fund; and

(h) ~~Seven~~ Twelve dollars and ~~twenty~~ seventy cents (\$7.2012.70) of each fee for a four-year class D driver's license, and ~~ten~~ twenty dollars and ~~forty cents~~ (\$10.4020.40) of each fee for an eight-year class D driver's license, and ~~six~~ ten dollars and ~~fifty cents~~ (\$6.0010.50) of each fee charged for a license pursuant to subsections (1)(d) and (e) of this section, and ~~four~~ six dollars and ~~eighty-three cents~~ (\$4.086.83) of each fee charged for a license pursuant to subsection (1)(f) of this section shall be deposited in the highway distribution fund; and

(i) Two dollars and sixty cents (\$2.60) of each fee for a class D instruction permit, duplicate class D license or permit, and class D license extension shall be deposited in the driver training fund; and

(j) ~~Three~~ Seven dollars and ~~ninety~~ forty cents (\$3.907.40) of each fee for a class D instruction permit, duplicate class D license or permit, and class D license extension shall be deposited in the highway distribution fund; and

(k) ~~Five~~ Ten dollars (~~\$5.00~~ \$10.00) of each fee for a class A, B or C skills test shall be deposited in the state highway ~~fund~~ account; and

(l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D driver's license, and two dollars (\$2.00) of each fee for an eight-year class D driver's license, and one dollar (\$1.00) of each fee charged for a license pursuant to subsections (1)(b), (d) and (e) of this section, and thirty-four cents (34¢) of each fee charged for a license pursuant to subsections (1)(c) and (f) of this section shall be deposited in the motorcycle safety program fund established in section 33-4904, Idaho Code; and

(m) ~~Three~~ Six dollars and fifty cents (~~\$36.50~~ \$6.50) of each fee for a class D skills test shall be deposited into the state highway ~~fund~~ account.

(9) The contractor administering a class A, B or C skills test shall be entitled to not more than ~~forty~~ sixty dollars (~~\$40.00~~ \$60.00) of the skills test fee. A contractor administering a class A, B or C skills test may collect an additional fee for the use of the contractor's vehicle for the skills test.

(10) ~~Thirty-five~~ Sixty dollars (~~\$3560.00~~ \$60.00) of each restricted driving permit and each restricted school attendance driving permit shall be deposited in the state highway ~~fund~~ account.

(11) The department may issue seasonal class B or C driver's licenses to drivers who are employees of agri-chemical businesses, custom harvesters, farm retail outlets and suppliers, and livestock feeders that:

(a) Will only be valid for driving commercial vehicles that normally require class B or C commercial driver's licenses;

(b) Will be valid for seasonal periods that begin on the date of issuance and that are not to exceed one hundred eighty (180) days in a twelve (12) month period;

(c) May only be obtained twice in a driver's lifetime;

(d) Are valid only within a one hundred fifty (150) mile radius of the place of business or farm being serviced; and

(e) Will be valid only in conjunction with valid Idaho class D driver's licenses.

(12) The department may issue seasonal class B or C driver's licenses to drivers who:

(a) Have not violated the single license provisions of applicable federal regulations;

(b) Have not had any license suspensions, revocations or cancellations;

(c) Have not had any convictions in any vehicle for any offense listed in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic offense;

(d) Have at least one (1) year of driving experience with a class D or equivalent license in any type motor vehicle; and

(e) Are at least sixteen (16) years old.

SECTION 4. That Section 49-328, Idaho Code, be, and the same is hereby amended to read as follows:

49-328. REINSTATEMENT OF REVOKED, DISQUALIFIED OR SUSPENDED DRIVER'S LICENSE -- FEE -- WHEN REINSTATEMENT PROHIBITED. (1) When the period of revocation, disqualification or suspension of a driver's license has expired, or the reason for the revocation, disqualification or suspension no longer exists, the department shall reinstate the driver's license or driving privileges on application of the driver.

(2) The application shall be in the form prescribed by the department and accompanied by a reinstatement fee of ~~fifteen~~ twenty-five dollars (\$~~15~~25.00) which shall be deposited in the state highway account.

(3) A driver's license which has been suspended under section 49-1505, Idaho Code, for failure to pay an infraction penalty shall not be reinstated until the licensee provides proof that the infraction penalty has been paid to the court.

(4) In addition to any other fees required in this section to be collected, the department shall collect ~~fifty~~ sixty dollars (\$~~50~~60.00) for reinstating a driver's license after conviction for driving under the influence, without privileges, and after conviction or other violation of any other traffic related misdemeanor or infraction, of which fees forty dollars (\$40.00) shall be paid over to the county treasurer of the county in which the conviction occurred for support of that county's justice fund, or the current expense fund if no county justice fund has been established, and the ~~ten~~ twenty dollars (\$~~10~~20.00) shall be deposited in the state highway account.

(5) In addition to any other fees required in this section to be collected, the department shall collect ~~one hundred fifteen~~ two hundred dollars (\$~~115~~200) for reinstating a driver's license after a suspension imposed under the provisions of section 18-8002 or section 18-8002A, Idaho Code, or after a revocation, disqualification or suspension arising out of any alcohol or drug related offense, other than a suspension imposed upon a person under eighteen (18) years of age pursuant to section 18-1502(d), Idaho Code. Funds collected pursuant to this subsection shall be deposited in the state highway account. ~~The department shall reevaluate the amount of the reinstatement fee herein imposed not later than February, 2000, to determine the sufficiency of the fee to meet the costs associated with the implementation of section 18-8002A, Idaho Code.~~

(6) When there is more than one (1) reason why a driver's license was revoked or suspended or why a driver was disqualified, the department shall not collect multiple fees for reinstatement, but shall only collect one (1) reinstatement fee, which shall be the greater reinstatement fee, provided however, the department shall collect a reinstatement fee for each revocation, disqualification or suspension under chapter 80, title 18, Idaho Code.

SECTION 5. That Section 49-523, Idaho Code, be, and the same is hereby amended to read as follows:

49-523. PROCEDURE WHEN DEPARTMENT UNSATISFIED AS TO OWNERSHIP OR SECURITY INTERESTS -- TEMPORARY REGISTRATION PROCEDURE. (1) If the department is not satisfied as to the ownership of the vehicle or that there are no undisclosed security interests in it, the department may register the vehicle, but shall either:

(a) Withhold issuance of a certificate of ownership until the applicant presents documents reasonably sufficient to satisfy the department as to the applicant's ownership of the vehicle and that there are no undisclosed security interests in it; or

(b) As a condition of issuing a certificate of ownership, require the applicant to file with the department all documents held as to the applicant's ownership of the vehicle, together with a bond in the form prescribed by the department and executed by the applicant, or a deposit of cash in a like amount. The bond shall be in an amount equal to one and one-half (1 1/2) times the value of the vehicle, as determined by the department, and conditioned to indemnify any prior owner and secured party and any subsequent purchaser of the vehicle or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney's fees, by

reason of the issuance of the certificate of ownership of the vehicle, or on account of any defect in or disclosed security interest upon the right, title and interest of the applicant in and to the vehicle. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, or any cash deposit, shall be returned at the end of three (3) years, or prior to that time if the vehicle is no longer registered in this state and the current valid certificate of ownership is surrendered to the department, unless the department has been notified of the pendency of an action to recover on the bond.

(c) As to a vehicle ten (10) years old or more since manufacture, an applicant who is a resident of the state of Idaho may file with the department, before its authorized representative, a verified statement of facts setting out in detail the manner in which the applicant came into possession of the vehicle, the establishment of ownership, and a summary of the applicant's attempts to contact any prior owners of the vehicle. Upon receipt by the department of the verified statement and all documentation relating to the applicant's possession of the vehicle, and completion of an inspection of the vehicle identification number by an authorized representative of the department, the applicant shall execute a document in the form provided by the department releasing it of any and all damages that may be suffered by the applicant, along with warranties that the applicant will pay any and all damages suffered by any person or entity as to the issuance of a title for that vehicle by the department. The department shall then issue a certificate of title to the applicant in form set out by this section. The certificate of title shall include the statement, "ISSUED ON STATEMENT OF APPLICANT", in permanent letters upon its face. The title issued pursuant to this subsection shall be presumed to indicate legal ownership of the vehicle at the end of the three (3) year period from the date of issue of that title, provided the vehicle is still registered in the state of Idaho, and there are no actions or claims pending against the applicant which places legal ownership in question. The department and the state of Idaho shall be immune as to any damages suffered by any person or entity as a result of the issuance of a certificate of title as provided by this subsection.

(2) Every dealer desiring the privilege of issuing temporary registration permits for the operation of vehicles shall make application to the department. If the privilege is granted, the dealer will receive a series of permits, consecutively numbered by the department, secured by the dealer at a fee of ~~five~~ nine dollars (\$~~5~~9.00) for each permit. A permit subsequently issued by a dealer to a purchaser shall be valid for a period not to exceed thirty (30) days.

The dealer shall issue temporary registration permits in numerical sequence, one (1) only for each vehicle sold to a bona fide purchaser. Each permit, and the attached stub, shall be completed in duplicate, in ink or by typewriter at the time of issuance. The expiration date on the original permit shall be filled in by rubber stamp or broad-tipped marking pen, and the print shall be at least three-fourths (3/4) inch high and one-eighth (1/8) inch wide. The original permit shall be displayed in the rear window of the vehicle for which it is issued, except when issued for a convertible, station wagon, motorcycle, or other vehicle for which this would not be practical. In these exceptional cases, the permit should be conspicuously displayed in a place where the number of the permit and the expiration date may be easily read and where protected from exposure to weather conditions which would render it illegible.

(3) The dealer shall keep a written record of every temporary registration permit issued. This record shall include the name and address of the person or firm to whom the permit is

1 issued, a description of the vehicle for which it is issued, including year, make, model, identi-
 2 fication number, and the date of issue. This record shall list all permits in numerical sequence
 3 and shall be open to inspection by any peace officer or designated employee of the department.

4 (4) The fees collected from dealers by the department under the provisions of this section
 5 shall be transmitted by the department to the state treasurer for deposit in the highway distribu-
 6 tion account.

7 (5) Upon application for title and for registration of a vehicle for which temporary reg-
 8 istration has been issued under this section, the county assessor shall collect and fees shall be
 9 deemed due from the date of issuance of the temporary registration permit rather than from date
 10 of application for title or registration.

11 (6) The department or a county assessor may issue temporary vehicle registration per-
 12 mits in an emergency situation. The fee for a temporary registration shall be ~~five~~ nine dollars
 13 (\$~~59~~9.00), and shall be valid for a period of thirty (30) days. The temporary fees collected by
 14 the department shall be transmitted to the state treasurer for deposit in the highway distribu-
 15 tion account. Temporary fees collected by an assessor shall be distributed as follows: ~~three~~
 16 five dollars (\$~~35~~5.00) shall be deposited in the county current expense fund and ~~two~~ four dollars
 17 (\$~~24~~4.00) shall be transmitted to the department for deposit through the state treasurer in the
 18 highway distribution account.

19 SECTION 6. That Section 49-1224, Idaho Code, be, and the same is hereby amended to
 20 read as follows:

21 49-1224. SELF-INSURERS. (1) Any person in whose name more than twenty-five (25)
 22 motor vehicles are registered and titled in Idaho, or engaged in the operation of a railroad,
 23 street railway system or public utility subject to the regulation of the public utilities commission
 24 irrespective of the number of vehicles registered, may qualify as a self-insurer by obtaining a
 25 certificate of self-insurance issued by the department.

26 (2) The department may, in its discretion, issue a certificate of self-insurance and certifi-
 27 cate of liability insurance in a form as the department prescribes when the department is satis-
 28 fied that the person is possessed and will continue to be possessed of ability to pay judgments
 29 obtained against that person upon application, and providing a statement by a certified public
 30 accountant attesting the applicant's net worth is five hundred thousand dollars (\$500,000), a list
 31 of vehicles and an application fee of ~~forty~~ seventy dollars (\$~~470~~70.00) which shall be deposited in
 32 the state highway account.

33 (3) The self-insurer will be required to submit an annual financial statement showing net
 34 worth of five hundred thousand dollars (\$500,000), a list of vehicles and a ~~forty~~ seventy dollar
 35 (\$~~470~~70.00) issue fee to be deposited in the state highway account.

36 (4) Upon not less than five (5) days' notice and a hearing pursuant to the notice, the
 37 department may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay
 38 any judgment within thirty (30) days after a judgment shall have become final shall constitute a
 39 reasonable ground for the cancellation of a certificate of self-insurance.

40 SECTION 7. That Section 49-1607, Idaho Code, be, and the same is hereby amended to
 41 read as follows:

1 49-1607. FEES -- FUNDS -- EXPENSES -- EXPIRATION OF LICENSES. (1) The
2 department shall collect with each application for licensure, the following fees:

3 (a) Dealer's, wholesale dealer's and vehicle manufacturer's license, initial application,
4 ~~one two~~ hundred ~~twenty-five~~ dollars (~~\$125~~200), ten dollars (\$10.00) of which shall be
5 deposited in the county current expense fund. Renewal application, one hundred seventy-
6 five dollars (~~\$100~~75).

7 (b) Vehicle salesman's license, ~~twenty-five~~ thirty-six dollars (~~\$25~~36.00), ten dollars
8 (\$10.00) of which shall be deposited in the county current expense fund.

9 (c) Distributor-factory branch-distributor branch license, one hundred seventy-five dollars
10 (~~\$100~~75).

11 (d) Representative's license, ~~twenty-five~~ forty-four dollars (~~\$25~~44.00).

12 (e) To reissue a license, salesman and dealer identification cards or other licensing doc-
13 uments at a dealer's request, not resulting from an error by the department, a fee of ~~ten~~
14 eighteen dollars (~~\$10~~8.00) per document.

15 (f) Supplemental lot license or relocated principal place of business, and temporary
16 supplemental lot, ~~twenty-five~~ forty-four dollars (~~\$25~~44.00) for license issued to a single
17 dealer. A fee of ~~fifty~~ eighty-eight dollars (~~\$50~~88.00) for a license issued to a group of
18 dealers for a temporary supplemental lot.

19 (2) All fees shall be paid over to the state treasurer for credit to the state highway ac-
20 count out of which shall be paid the expenses of the department and the expenses incurred in
21 enforcing the provisions of this chapter.

22 (3) Dealer licenses, if not suspended or revoked, may be renewed from year to year upon
23 the payment of the fees specified in this section to accompany applications, and renewals shall
24 be made in accordance with the provisions of section 49-1634, Idaho Code.

25 (a) There shall be twelve (12) licensing periods, starting with January and ending in De-
26 cember. A dealer's license shall be in effect from the month of initial licensing through
27 the last day of the next year's calendar month that precedes the month of the initial li-
28 censing.

29 (b) Any renewal license application received or postmarked after thirty (30) days from
30 the end of the previous year's license period shall be processed as an initial application
31 and initial fees shall be paid.

32 (4) Salesman licenses, if not suspended or revoked, shall be valid for three (3) years from
33 the date of issue provided that:

34 (a) Employment remains with the sponsoring dealership; and

35 (b) The sponsoring dealership has a valid license issued by the department.

36 Renewals shall be issued in accordance with the provisions of section 49-1635, Idaho Code.

37 SECTION 8. That Section 49-2444, Idaho Code, be, and the same is hereby amended to
38 read as follows:

39 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)
40 The department shall issue a distinguishing identification card which shall set forth the informa-
41 tion contained in the application, in a form as prescribed by the department. All identification
42 cards issued on or after January 1, 1993, shall not contain the applicant's social security num-
43 ber. An applicant's social security number shall be exempt from disclosure except for inquiries
44 from agencies or institutions authorized to obtain such information by federal law or regula-

tion, from peace officers or from jury commissioners. Each card shall have printed on it the applicant's full name, date of birth, Idaho residence address, sex, weight, height, eye color, hair color, and shall be issued a distinguishing number assigned to the applicant. Each card shall also have printed on it the name of this state, the date of issuance, and the date of expiration. An identification card shall not be valid until it has been signed on the signature line by the applicant. Each card shall bear upon it a color photograph of the applicant which shall be taken by the examiner at the time of application. The photograph shall be taken without headgear or other clothing or device that disguises or otherwise conceals the face or head of the applicant. A waiver may be granted by the department allowing the applicant to wear headgear or other head covering for medical, religious or safety purposes so long as the face is not disguised or otherwise concealed. At the request of the applicant, an identification card may contain a statement or indication of the medical condition of the applicant.

No person shall receive an identification card unless and until he surrenders to the department all identification cards in his possession issued to him by Idaho or any other jurisdiction, or any driver's license issued by any other jurisdiction within the United States, or until he executes an affidavit that he does not possess an identification card or any driver's license.

Identification cards issued to persons under eighteen (18) years of age shall include a notation "under 18 until (month, day, year)," and identification cards issued to persons eighteen (18) years of age to twenty-one (21) years of age shall include a notation "under 21 until (month, day, year)." The nonrefundable fee for a four-year identification card issued to persons twenty-one (21) years of age or older shall be ~~seven ten dollars and fifty cents (\$7.50)~~ ten dollars (\$10.00) of which five dollars (\$5.00) shall be retained by the county and credited to the current expense fund, and ~~two five dollars and fifty cents (\$2.50)~~ five dollars (\$5.00) shall be deposited in the state treasury to the credit of the highway distribution account. The nonrefundable fee for identification cards issued to persons under twenty-one (21) years of age shall be ~~six ten dollars and fifty cents (\$6.50)~~ ten dollars (\$10.00), of which five dollars (\$5.00) shall be retained by the county and credited to the current expense fund, and ~~one five dollars and fifty cents (\$1.50)~~ five dollars (\$5.00) shall be deposited in the state treasury to the credit of the highway distribution account. The nonrefundable fee for an eight-year identification card shall be ~~fifteen twenty dollars (\$15.20)~~ twenty dollars (\$20.00) of which ten dollars (\$10.00) shall be retained by the county and credited to the current expense fund, and ~~five ten dollars (\$5.10)~~ ten dollars (\$10.00) shall be deposited in the state treasury to the credit of the highway distribution account. At the option of the applicant, the identification card issued to a person twenty-one (21) years of age or older shall expire either on the cardholder's birthday in the fourth year or the eighth year following issuance of the card, except as otherwise provided in subsection (3) of this section. Every identification card issued to a person under eighteen (18) years of age shall expire five (5) days after the person's eighteenth birthday, except as otherwise provided in subsection (3) of this section. Every identification card issued to a person eighteen (18) years of age but under twenty-one (21) years of age shall expire five (5) days after the person's twenty-first birthday, except as otherwise provided in subsection (3) of this section.

Individuals required to register in compliance with section 3 of the federal military selective service act, 50 U.S.C. App. 451 et seq., as amended, shall be provided an opportunity to fulfill such registration requirements in conjunction with an application for an identification card. Any registration information so supplied shall be transmitted by the department to the selective service system.

1 (2) Every identification card, except those issued to persons under twenty-one (21) years
2 of age, shall be renewable on or before its expiration, but not more than twelve (12) months
3 before, and upon application and payment of the required fee.

4 (3) Every identification card issued to a person who is not a citizen or permanent le-
5 gal resident of the United States shall have an expiration date that is the same date as the
6 end of lawful stay in the United States as indicated on documents issued and verified by the
7 department of homeland security, provided however, that the expiration date shall not extend
8 beyond the expiration date for the same category of identification card issued to citizens. Per-
9 sons whose department of homeland security documents do not state an expiration date shall be
10 issued an identification card with an expiration date of one (1) year from the date of issuance.

11 (4) When an identification card has been expired for less than twelve (12) months, the
12 renewal of the identification card shall start from the original date of expiration regardless of
13 the year in which the application for renewal is made. If the identification card is expired
14 for more than twelve (12) months, the application shall expire, at the option of the applicant,
15 on the applicant's birthday in the fourth year or the eighth year following reissuance of the
16 identification card, except as otherwise provided in subsection (3) of this section.

17 (5) A person possessing an identification card who desires to donate any or all organs
18 or tissue in the event of death, and who has completed a document of gift pursuant to the
19 provisions for donation of anatomical gifts as set forth in chapter 34, title 39, Idaho Code, may,
20 at the option of the donor, indicate this desire on the identification card by the imprinting of
21 the word "donor" on the identification card. The provisions of this subsection shall apply to
22 persons possessing an identification card who are sixteen (16) years of age or older but less
23 than eighteen (18) years of age if the requirements provided in chapter 34, title 39, Idaho Code,
24 have been complied with.

25 (6) A person possessing an identification card or an applicant for an identification card
26 who is a person with a permanent disability may request that the notation "permanently dis-
27 abled" be imprinted on the identification card, provided the person presents written certification
28 from a licensed physician verifying that the person's stated impairment qualifies as a permanent
29 disability according to the provisions of section 49-117, Idaho Code.

30 (7) In the case of a name change, the applicant shall provide legal documentation to
31 verify the change in accordance with department rules.

32 (8) Whenever any person, after applying for or receiving an identification card, shall
33 move from the address shown on the application or on the identification card issued, that person
34 shall, within thirty (30) days, notify the transportation department in writing of the old and new
35 addresses.

36 (9) The department shall cancel any identification card upon determining that the per-
37 son was not entitled to the issuance of the identification card, or that the person failed to give
38 the required and correct information in his application or committed fraud in making the ap-
39 plication. Upon cancellation, the person shall surrender the canceled identification card to the
40 department.

41 (10) If any person shall fail to return to the department the identification card as required,
42 the department may direct any peace officer to secure its possession and return the identification
43 card to the department.

44 (11) The department may issue a no-fee identification card to an individual whose driver's
45 license has been canceled and voluntarily surrendered as provided in section 49-322(4), Idaho

1 Code. The identification card may be renewed at no cost to the applicant as long as the driver's
2 license remains canceled.

3 (12) It is an infraction for any person to fail to notify the department of a change of
4 address as required by the provisions of subsection (8) of this section.

5 SECTION 9. Section 1 of this act shall be in full force and effect on and after July 1, 2009.
6 Sections 2 through 8 of this act shall be in full force and effect on and after January 1, 2010."

7 CORRECTION TO TITLE

8 On page 1, delete lines 2 and 3, and insert:

9 "RELATING TO CERTAIN FUEL DEDUCTIONS AND MOTOR VEHICLE FEES; AMEND-
10 ING SECTION 63-2407, IDAHO CODE, TO DELETE DEDUCTIONS RELATING
11 TO CERTAIN MOTOR FUELS; AMENDING SECTION 49-202, IDAHO CODE, TO
12 INCREASE FEES FOR SERVICES RELATING TO ISSUING TITLES AND REGIS-
13 TRATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION
14 49-306, IDAHO CODE, TO INCREASE DRIVER'S LICENSE AND PERMIT FEES
15 AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-328,
16 IDAHO CODE, TO INCREASE FEES FOR REINSTATEMENT OF LICENSES, TO
17 DELETE ARCHAIC LANGUAGE AND TO MAKE A TECHNICAL CORRECTION;
18 AMENDING SECTION 49-523, IDAHO CODE, TO INCREASE FEES FOR ISSU-
19 ING TEMPORARY PERMITS AND TO MAKE A TECHNICAL CORRECTION;
20 AMENDING SECTION 49-1224, IDAHO CODE, TO INCREASE FEES FOR CERTI-
21 FICATION OF SELF-INSURANCE; AMENDING SECTION 49-1607, IDAHO CODE,
22 TO INCREASE FEES FOR ISSUING CERTAIN LICENSES; AMENDING SECTION
23 49-2444, IDAHO CODE, TO INCREASE FEES FOR IDENTIFICATION CARDS; AND
24 PROVIDING EFFECTIVE DATES."